

APRIL 19, 2006



ALABAMA STATE BAR
415 DEXTER AVENUE
P.O. Box 071
MONTGOMERY, AL. 36101

DEAR GENERAL COUNSEL

I, CALVIN MAYS IS WRITTING THIS LETTER ASKING
PERMISSION REQUESTING INFORMATION ON OLA B. JOHNSON / OR
OLA B. JOHNS, THE DATE HE OR SHE BECAME A MEMBER OF THE
ALABAMA STATE BAR TO PRACTICE LAW IN THE STATE OF ALABAMA,
AND HIS OR HER'S ADDRESS.

THANKS IN ADVANCE FOR YOUR UNDERSTANDING IN THIS MATTER
AT HAND.

P.S. NEED THIS INFORMATION SOON AS
POSSIBLE (ASAP) THANKS IN ADVANCE

The Alabama State Bar has no record of
an attorney by the name of Ola B. Johnson or
Ola B., Johns.

CC: INMATE COPY FILED;

Respectfully Submitted

Calvin Mays

#150299
CALVIN MAYS KCB-168

P.O. Box 150

MT. MEIGS, AL. 36057

STATE OF ALABAMA
MONTGOMERY COUNTYWARRANT AND
AFFIDAVIT

THE DISTRICT COURT

CASE NO. DC97-6544

Before me the undersigned Judge/Clerk/Magistrate of The District Court of Montgomery County, Alabama, personally appeared
Cpl. D. Cunningham

who being by me first duly sworn deposes and says that he has probable cause for believing, and does believe that within twelve months within said County on or about (date) Between 3/17/95 and 3/18/95 one Calvin Mays did intentionally cause the death of Reginald Lavin Kirks by Shooting him/her with a Handgun and Calvin Mays cause said death during the time that Calvin Mays was in the course of committing, or attempting to commit a theft of a Cellular Phone the property of Reginald Lavin Kirks by the use of force against the person of Reginald Lavin Kirks, (or against the person of another present,) with the intent to overcome his physical resistance or physical power of resistance, while the said Calvin Mays was armed with a deadly weapon, to-wit: a Handgun or a dangerous instrument to-wit: in Sworn to and Subscribed before me this the 17 day of October, 19 97 violation of 13A-5-40 (a-2) of the Code of Alabama

Olga B. Adams
Judge/Clerk/Magistrate of District Court
Of Montgomery County, Alabama

Cpl. D. Cunningham #216
Complainant's Signature

STATE OF ALABAMA
MONTGOMERY COUNTY

WARRANT OF ARREST

THE DISTRICT COURT

TO ANY LAWFUL OFFICER OF THE STATE OF ALABAMA:

You are thereof commanded to arrest Calvin Mays
and bring him/her before the DISTRICT COURT OF MONTGOMERY COUNTY, to answer the State of Alabama on a charge of
MURDER DURING ROBBERY IN THE FIRST DEGREE

Have you then and there this writ with your return thereon

Dated this 17 day of October, 19 97

The Sheriff will take bond in the sum of \$ No Bond

Olga B. Adams
Judge/Clerk/Magistrate of District Court
Of Montgomery County, Alabama

WARRANT NO. 1895-97

STATE WITNESSES

Cpl. D. Cunningham #216 MPD

WARRANT OF ARREST
THE DISTRICT COURT OF
MONTGOMERY COUNTY, ALABAMA

THE STATE OF ALABAMA

v.

I HEREBY CERTIFY THAT THIS

WAS SERVED ON

Calvin Mays

ON

B/M/28

DIRECTOR, CRO
DEPT. OF CORRECTIONS

Defendant's Address:

LKA: 5929 Cherryhill Rd.

Race: Black Sex: Male

DOB: 6/13/69

DL No: #150299

S.S. Number:

Employment:

Executed the within Warrant by Arresting
the within named Defendant and
Taking Appearance Bond
Committing Defendant to Jail

This day of
19

By *D. L. Cunningham* #216
Deputy Sheriff

Case # 95-04446

AFFIDAVIT

DISTRICT COURT OF MONTGOMERY ALABAMA

1895-97

INSTRUCTIONS: Complete the following information on OFFENSE/OFFENDER

Offense: CAPITAL MURDERDefendant's Name: Calvin Mays B/M D.O.B. 6/13/69Defendant's Address: Last Known: 5929 Cherryhill Road Montgomery, AlabamaDate & Time of Offense: Between 3/17/95 2330 hours-3/18/95 1109 hoursPlace of Occurance: 4552 Gordon Ct. Montgomery, AlabamaPerson or Property Attacked: Reginald Lavon KirksHow Attacked: Robbed and shot to death.

Damage Done or Property Attacked: _____

Value of Property: _____

Details of Offense:

On Saturday, 3/18/95 at approximately 1109 hours, B/M Reginald Lavon Kirks was found shot to death in his residence at 4552 Gordon Court. Kirks cellular phone was also taken from his residence.

On 09/09/97 B/M Calvin Mays gave a confession to his part of the offense, and implicated B/M Antonio Sanders, and B/M Christopher McCloud as being with him when this offense was committed. A witness also gave a statement to witnessing the defendants with a large amount of marijuana, and to them discussing the robbery, and shooting.

This offense occurred in Montgomery City, Montgomery County, Alabama, and is in violation of section 13A-5-40 of the code of Alabama, against the peace and dignity of people of Alabama.

I make this affidavit for the purpose of securing a warrant against the said Calvin Mays B/M. I understand that I am instituting a criminal proceeding and cannot drop this case. I further understand that if any of the forgoing facts are untrue, I may, in addition to any other punishment provided by law, be taxed with court costs in this proceeding.

Sworn to and subscribed before me this 17th day of October 1997.

Cpl. D. C. Cunningham #216
Complainant

[Signature]
Judge - Clerk - Magistrate

RETURN TO CRO

WITNESSES: (Name, Address, Telephone Number)

1) Cpl. D. Cunningham #216 MPD/Detective Div. 241-2963

2) _____

3) _____

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

CALVIN MAYS, JR., #150299,

Plaintiff,

V.

OLA B. JOHNSON, et al.,

Defendants.

CIVIL ACTION NO. 2:06v532-ID
(WO)

ORDER

Upon CONSIDERATION of the Recommendation of the Magistrate Judge, filed June 30, 2006 (Doc. No. 4), and Plaintiff's Objection, filed July 19, 2006 (Doc. No. 5), and having independently reviewed the file in this case, it is ORDERED as follows:

1. Plaintiff's Objection be and the same is hereby OVERRULED;
2. the Recommendation of the Magistrate Judge be and the same is hereby

ADOPTED, APPROVED and AFFIRMED;

3. the claims arising from the issuance of the arrest warrant be and the same are DISMISSED with prejudice in accordance with the directives of 28 U.S.C. § 1915(e)(2)(B)(i), as Plaintiff failed to file the complaint within the time prescribed by the applicable period of limitations;

4. to the extent the complaint challenges the validity of the felony murder conviction imposed upon Plaintiff by the Circuit Court of Montgomery County, Alabama, these claims be and the same are hereby DISMISSED pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(ii); and

5. this case be and the same is hereby DISMISSED prior to service of process pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(i) and (ii).

DONE this 27th day of July, 2006.

/s/ Ira DeMent

SENIOR UNITED STATES DISTRICT JUDGE